

**THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS**

COMMODITY FUTURES
TRADING COMMISSION,

Plaintiff,

v.

MARCUS TODD BRISCO, YAS
CASTELLUM LLC, YAS CASTELLUM
FINANCIAL LLC, TIN QUOC TRAN,
FRANCISCO STORY, FREDIRICK
SAFRANKO, a/k/a TED SAFRANKO,
SAEG CAPITAL GENERAL
MANAGEMENT LP, and MICHAEL
SHANNON SIMS,

Defendants.

Case No. 4:23-cv-336

**JOINT STIPULATION AND
[PROPOSED] ORDER TO MODIFY
STATUTORY RESTRAINING ORDER
BY PARTIALLY LIFTING
ASSET FREEZE AS TO DEFENDANTS
MARCUS TODD BRISCO, YAS
CASTELLUM LLC, AND YAS
CASTELLUM FINANCIAL LLC**

Plaintiff Commodity Futures Trading Commission and Defendants Marcus Todd Brisco, Yas Castellum LLC, and Yas Castellum Financial LLC, hereby agree and stipulate (the “Joint Stipulation”), subject to the approval of the Court, to modify the Statutory Restraining Order (“SRO”) entered by the Court on February 6, 2023 [ECF # 10]. WHEREFORE, the parties stipulate that the SRO shall be modified as follows:

1. The asset freeze will be lifted for the account at American Savings Bank ending in *2853 that is held in the name of Marcus T. Brisco, Rolly Receipts LLC, and the account at Chase ending in *5058 held in the name of Rolly Receipts LLC, subject to the following stipulations by the parties:

- a. Defendants agree not to dissipate assets held in the account at Chase ending in *5058 below the current account balance of \$21,030.59;

- b. The Court-appointed Temporary Receiver, Kelly Crawford, will be added to the account at Chase ending in *5058, so he can monitor the activity in these accounts.
2. Other than as stipulated above, the asset freeze will remain in place as to Defendants Marcus Todd Brisco, Yas Castellum LLC, and Yas Castellum Financial LLC.

IT IS SO ORDERED, at Houston, Texas on this ___ day of _____, 2023:

UNITED STATES DISTRICT JUDGE

Dated: March 16, 2023

Respectfully submitted,

PLAINTIFF COMMODITY FUTURES
TRADING COMMISSION

DEFENDANTS MARCUS TODD BRISCO,
YAS CASTELLUM LLC, AND YAS
CASTELLUM FINANCIAL LLC

/s/ Alison B. Wilson

Alison B. Wilson (D.C. Bar 475992)
admitted pro hac vice
(Attorney-In-Charge)
Sean Hennessy (D.C. Bar 1011564),
admitted pro hac vice
1155 21st Street, NW
Washington, D.C. 20581
Telephone: (202) 418-5000
awilson@cftc.gov
shennessy@cftc.gov

RECEIVER KELLY CRAWFORD

/s/ Kelly M. Crawford

Kelly M. Crawford
Scheef & Stone, LLP
500 North Akard, Suite 2700
Dallas, Texas 75201
kelly.crawford@solidcounsel.com

/s/ Brandon S. Winchester

Brandon S. Winchester
State Bar No. 24079590
S.D. Tex. Bar No. 1662395
SCHIFFER HICKS JOHNSON, PLLC
700 Louisiana, Suite 2650
Houston, Texas 77002
Tel: 713-357-5150
Fax: 713-357-5160
bwinchester@shjlawfirm.com

Jonathan R. Shulan
State Bar No. 24083842
S.D. Tex. Bar No. 3836019
Evan J. Sullivan, *Admitted pro hac vice*
Missouri Bar No. 73032
ARMSTRONG TEASDALE LLP
7700 Forsyth Blvd., Suite 1800
St. Louis, Missouri
Tel: 314-621-5070
Fax: 314-621-5065
jshulan@atllp.com
esullivan@atllp.com

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on this 16th day of March, 2023, I electronically filed the foregoing using the CM/ECF filing system, and sent a copy via UPS to the last known address for Defendants SAEG Capital General Management LP, Safranko, and Tran.

/s/ Sean Hennessy
Sean Hennessy